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Bill would kill conversion fee

Legislation would cut funding for state ag easements program

By Danielle Endvick

Regional Editor

A bill being introduced this week in the Wisconsin Legislature could eliminate the conversion fee required to rezone land out of a farmland preservation district.



Jacque



Schultz

The proposal, LRB 1135/2, which was expected to be assigned a bill number this week, is similar to bills introduced last year that sought to delay fee provisions or repeal the conversion fee altogether.

The Working Lands Initiative charges a per-acre

conversion fee when land is rezoned from agricultural use to residential or commercial use. The conversion fee varies regionally and is calculated by multiplying the number of acres rezoned by three times the per acre value of the highest value of cropland in the city, village or town in which the land is located.

Conversion fees fund the Purchase of Agricultural Conservation Easements program, through which DATCP, in conjunction with local governments and non-profit organizations, buys agricultural conservation easements from landowners. Through the program, DATCP pays up to 50 percent of the cost of the easement and may pay all or a portion of related transaction fees.

PACE would be discontinued if the bill becomes law, Jacque said.

Jacque, who represents the 2nd Assembly District, said many of his constituents have complained about the conversion fee, saying it's detrimental to their property values and plans.



Photo by Sara Bred

Cold snack

The morning sun recently lit up a cluster of sunflowers that were dusted with frost at a Waushara County farm.

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Fee/ Rule written to keep farmland intact

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The actual cost of converting a 40-acre parcel is going to be running over \$32,000," he said. "It's a fairly substantial impact for someone who is looking to retire and sell off part of their farm."

Jacque said town officials in particular have criticized the conversion fee, which puts extra pressure on them when making zoning decisions for preservation districts.

"One town in my district said they'd take the entire town out of exclusive agriculture just because they didn't want town residents to have to pay an outrageous conversion fee," he said. Schultz said his constituents also have been vocal in opposing the fee.

At a recent Richland County meeting, 300 people unanimously agreed that the fee should be repealed, Schultz said. "Most of the people in the room were farmers or rural people who felt their right to make money on their property was being diminished," Schultz said. While the fee's intent was in part to preserve farmland, it has had the opposite effect, Jacque said.

"Rural landowners wanting

to retain the value of the property are having their farm zoned out of exclusive agriculture," he said.

Jacque said he has received a lot of support for the proposal from constituents at meetings he has attended throughout his district.

"Nobody so far has expressed any opposition of it to me," he said. "I feel that (the proposal) is sticking up for my district and others like it throughout the state."

Jacque said the Wisconsin Realtors Association, the Wisconsin Builders Association and Wisconsin Farm Bureau support the proposal.

"It's something the governor is very supportive of as well," he said. "I have every bit of confidence that he will sign it when it reaches his desk."

Cullen Werwie, an aide to Gov. Scott Walker, said he couldn't confirm the governor's support and that his office would withhold comment until the bill has progressed.

Tom Larson, chief lobbyist for the Wisconsin Realtors Association, said the group supports legislation to repeal the fee because members believe planning and zoning departments should decide local land use. Statewide, the conversion fee

per acre averages more than \$800, Larson said.

"A lot of farmers and property owners have been struggling over the past few years, and property values have taken a hit," he said. "The fee really is an unfair penalty."

Wisconsin Farm Bureau President Bill Bruins said the organization opposes the conversion fee.

"We really feel like if farms are able to sell for development prices, they shouldn't have to pay a penalty to do that," Bruins said, adding that landowners have to pay the conversion fee if they sell their property before an updated Farmland Preservation plan is written or before they get a comprehensive plan in place. The fees were set high to provide funding for PACE purchases, which the Farm Bureau doesn't support, Bruins said.

"It's been our organization's feeling that if there is going to be a PACE purchase made that the local municipality or the local community absolutely has to support that with dollars," Bruins said.

Though he views conversion fees as a flaw in the Working Lands Initiative, Bruins said the planning and zoning portions of the bill are vital.

"The Farm Bureau would ada-

manly oppose repealing the whole program," he said.

Rick Stadelman of the Wisconsin Towns Association said the group hasn't taken a stance on the pending legislation.

"I know our board wants to keep the Working Lands program as strong as possible," Stadelman said. "At the same time, if it's necessary to modify the conversion fee, that's something we'll want to take a look at."

The conversion fee was established as a consequence for zoning land out of agriculture, Stadelman said.

"My fear if we get rid of the conversion fee altogether is that there would be pressure on counties to rezone land in and out just to get the tax credits without a long-term plan for land preservation."

The conversion fee doesn't apply when land is taken out as part of an updated plan of the Farmland Preservation Program, Stadelman said.

The Working Lands Initiative results in \$27 million for zoning and contract tax credits annually, Stadelman said.

"I think there could be some modifications made," Stadelman said, "but we want to make sure there's an understanding of the issue before there's an overreaction of it."

Open for debate

Discussion about the proposal at a Feb. 9 Department of Agriculture, Trade and Consumer Protection Board meeting indicated that not everyone supports the measure.

Board member Margaret Krome said the bill to eliminate the conversion fee "strikes me as going right to the heart of the Working Lands Initiative."

"This is a very important program. Many of us put a lot of time into listening to the citizens of the state," Krome said. "We just spent months grieving the loss of our secretary (Rod Nilsson), and the Working Lands Initiative was one of the capstones (of his career). He took it seriously, and a lot of people took it seriously."

DATCP Secretary Ben Brancel said agency officials are preparing a document to describe to legislators what the impact of the conversion fee repeal would be.

"We need to make sure they understand how it impacts the entire Working Lands Initiative," he said.

Brancel said DATCP officials would ask the bill's authors to write an explanation of the legislation before the next board meeting.

The Country Today Editor Jim Massey contributed to this story.

Sheep/ Two-ewe campaign aims to grow national flock

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lamb crop rate by 2 percent. The program aims to put 315,000 more lambs and another 2 million pounds of wool on the market.

been in expansion mode. Wisconsin's sheep and lamb inventory on Jan. 1 totaled 90,000 head.

prices are being driven by the basic fundamentals of supply and demand, Thompson said. There's a

Event to address expansion